

Message Text

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ACTION AF-10

INFO OCT-01 EUR-12 HA-05 ISO-00 IO-13 PM-05 NSC-05
SP-02 SS-15 CIAE-00 INR-10 NSAE-00 /078 W
-----122477 010907Z /10

R 010735Z MAY 78
FM AMEMBASSY KINSHASA
TO SECSTATE WASHDC 9472
AMEMBASSY BRUSSELS
AMCONSUL LUBUMBASHI
AMCONSUL BUKAVU POUCH

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E.O. 11652: N/A
TAGS: SHUM, PINT, CG
SUBJECT: CONVICTION OF FORMER STATE COMMISSIONER FOR JUSTICE MAMPUYA

REF: A) KINSHASA 3160; B) KINSHASA 0765

1. SUMMARY: ZAIRIAN SUPREME COURT HAS CONVICTED EX-STATE COMMISSION
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FOR JUSTICE MAMPUYA (REFTELS) AND TEN OTHER DEFENDANTS ON CHARGES
RANGING FROM EMBEZZLEMENT OF PUBLIC FUNDS TO INVOLUNTARY HOMICIDE. T
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OTHER FORMER EMPLOYEES OF THE DEPARTMENT OF JUSTICE WERE ACQUITTED
OF ALL CHARGES AGAINST THEM. END SUMMARY.

2. ON APRIL 27 THE ZAIRIAN SUPREME COURT ANNOUNCED THAT FORMER
STATE COMMISSIONER FOR JUSTICE MAMPUYA KANUK'S TSHIABO HAD BEEN
FOUND GUILTY OF INVOLUNTARY HOMICIDE (IN CONNECTION WITH DEATHS BY
STARVATION LAST OCTOBER OF SEVERAL INMATES OF KINSHASA'S MAKALA
PRISON) AND EMBEZZLEMENT OF PUBLIC FUNDS. ALSO CONVICTED ON
VARIOUS COUNTS WERE MAMPUYA'S WIFE, A FORMER SUPREME COURT JUSTICE,
THE FORMER DIRECTOR GENERAL OF THE JUSTICE DEPARTMENT, THE FORMER
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DIRECTOR OF THE GOZ'S PENITENTIARY SERVICE, THE FORMER DIRECTOR
OF MAKALA PRISON, AND FIVE FORMER EMPLOYEES OF THE JUSTICE
DEPARTMENT.

3. THE FOLLOWING ARE THE NAMES OF ALL THE PRINCIPAL DEFENDANTS,
THE CHARGES AGAINST EACH ONE, AND THE SENTENCES RECEIVED:

--FORMER STATE COMMISSIONER FOR JUSTICE MAMPUYA KANUK'S
TSHIABO: "INVOLUNTARY HOMICIDE" AND EMBEZZLEMENT; 15
YEARS IMPRISONMENT INCLUDING 6 MONTHS AT HARD LABOR, AND CON-
FISCATION OF ALL PROPERTY.

--FORMER SUPREME COURT JUSTICE MUTOMBO BAKAFWA NSENDA:
EMBEZZLEMENT OF PUBLIC FUNDS AND ILLEGALLY OVERCHARGING FOR
FOODSTUFFS; ACQUITTED OF THE FORMER, FINED 300 ZAIRES (\$260)
FOR THE LATTER.

--FORMER DIRECTOR GENERAL OF THE DEPARTMENT OF JUSTICE NSIMBA
MABINGU KABUKANYI: EMBEZZLEMENT; 12 YEARS AT HARD LABOR AND
CONFISCATION OF ALL PROPERTY.

--FORMER DIRECTOR OF PENITENTIARY SERVICES BOMOLO BO NGWANLAUGA:
EMBEZZLEMENT; 3 YEARS HARD LABOR AND CONFISCATION OF ALL PROPERTY.

--FORMER DIRECTOR OF MAKALA PRISON BWANA MILAMBO: EMBEZZLEMENT:
3 YEARS IMPRISONMENT OF WHICH 12 MONTHS AT HARD LABOR, AND CON-
FISCATION OF ALL PROPERTY.

--CITOYENNE MWENDE MUKENGE, WIFE OF MAMPUYA; CHARGED WITH SELLING
FOODSTUFFS TO MAKALA PRISON AT MORE THAN THE GOZ-FIXED
PRICE; 6 MONTHS IMPRISONMENT AND A FINE OF 300 ZAIRES (\$360).

4. FIVE FORMER JUSTICE DEPARTMENT EMPLOYEES, ALSO CHARGED WITH
EMBEZZLEMENT, RECEIVED THE FOLLOWING SENTENCES: BISUMBELE
BAMBI, 12 YEARS IMPRISONMENT OF WHICH 6 MONTHS AT HARD LABOR;
BONGONDA BOKESSE, 6 YEARS IMPRISONMENT OF WHICH 9 MONTHS AT
HARD LABOR; MBUYAMBA TSHOVO, 18 MONTHS HARD LABOR; MWENDELEYA
LUBAMBU, 24 MONTHS HARD LABOR, AND BANZILA BOOTO, 12 MONTHS
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IMPRISONMENT WITH 6 MONTHS SUSPENDED SENTENCE. TWO OTHER
AGENTS, MAWANGO MOY BOKOKI AND LUVUEMBA NDONGALA, WERE ACQUITTED.

5. EMBASSY COMMENT: AS REPORTED REFTELS, THIS TRIAL GREW OUT OF
A SURVEY OF THE GRIM CONDITIONS AT MAKALA PRISON CONDUCTED LAST
NOVEMBER BY THE PRESIDENT OF THE JUDICIAL COUNCIL, KENGO WA DONDO.
AS NOTED REF A, SOME OF THESE ABUSES HAVE BEEN CORRECTED.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRIALS, COURT DECISIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 01 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978KINSHA04314
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780185-0428
Format: TEL
From: KINSHASA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t197805106/aaaadmmo.tel
Line Count: 102
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 4cb0a494-c288-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 KINSHASA 3160, 78 KINSHASA 765
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 27 apr 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2532013
Secure: OPEN
Status: NATIVE
Subject: CONVICTION OF FORMER STATE COMMISSIONER FOR JUSTICE MAMPUYA
TAGS: SHUM, PINT, CG, (MAMPUYA KANUK'A TSHIABO)
To: STATE BRUSSELS
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/4cb0a494-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014